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AND BEA SYSTEMS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DATAMIZE, L.L.C., a Wyoming limited liability
corporation,

Plaintiff,

v.

PLUMTREE SOFTWARE, INC., a Delaware
corporation and BEA SYSTEMS, INC, a
Delaware corporation,

Defendants.

No. 04 2777 VRW

JOINT STIPULATION AND ~~PROPOSED~~
ORDER RE FURTHER CMC

**FURTHER CASE MANAGEMENT
CONFERENCE CONTINUED
FROM 5/22/08 TO 7/3/08
at 3:30 P.M.**

1 Plaintiff Datamize, L.L.C. ("Datamize") and Defendants Plumtree Software, Inc. ("Plumtree")
2 and BEA Systems, Inc. ("BEA") jointly submit this update to the Court regarding the status of
3 Datamize's Petition for Writ of Mandamus and this matter. To date, the Federal Circuit has not
4 issued a ruling on Datamize's petition. The parties have been engaged in settlement discussions,
5 and a settlement may be reached in the next 30 days.

6 IT IS THEREFORE HEREBY STIPULATED, by and between the parties, by and through
7 their respective attorneys of record, that:

8 The further case management conference set in this matter on May 22, 2008 at 3:30 p.m. shall
9 be reset for **JULY 3, 2008** at 3:30 p.m. If, however, the Federal Circuit has not issued its ruling on
10 the Petition for Writ of Mandamus or a settlement has not been reached by June 9, 2008, then
11 Datamize shall file a report with the Court informing the Court as to the status of the Petition and
12 suggesting a date for a further case management conference.

13
14 DATED: May 13, 2008.

HOWARD RICE NEMEROVSKI CANADY
FALK & RABKIN, A Professional Corporation

15
16 By: /s/ Jeffrey E. Faucette

JEFFREY E. FAUCETTE

17 Attorneys for Plaintiff and Counter-Defendant
18 DATAMIZE, L.L.C.

19 WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

20
21 By: /s/ Michael B. Levin

MICHAEL B. LEVIN

22 Attorneys for Defendants and Counterclaimants
23 PLUMTREE SOFTWARE, INC. and BEA SYSTEMS,
24 INC.

ATTESTATION

I, Jeffrey E. Faucette, am the ECF User whose identification and password are being used to file this Joint Stipulation and [Proposed] Order to Stay Proceedings. In compliance with General Order 45.X.B, I hereby attest that Michael B. Levin has concurred in this filing.

DATED: May 13, 2008.

HOWARD RICE NEMEROVSKI CANADY
FALK & RABKIN, A Professional Corporation

By: /s/ Jeffrey E. Faucette

JEFFREY E. FAUCETTE

Attorneys for Defendant and Counterclaimant
DATAMIZE, L.L.C.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 5/19/08

